

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
) CR. NO. 3:07cr080-WHA
)
ALEXIS RAMON HERRERA-FLORES)

**MOTION TO DECREASE DEFENDANT'S OFFENSE LEVEL
PURSUANT TO UNITED STATES SENTENCING GUIDELINES § 3E1.1(b)
(FOR DEFENDANT'S ACCEPTANCE OF RESPONSIBILITY)**

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and moves this Court to reduce Defendant's offense level at sentencing for the reasons that follow:

1. Defendant qualifies for a reduction in his sentence pursuant to U.S.S.G § 3E1.1(b), because he assisted authorities in the investigation and prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the United States to avoid preparing for trial and permitting the Government and this Court to allocate their resources efficiently.

2. Accordingly, pursuant to U.S.S.G § 3E1.1(b), the United States respectfully moves this Court to reduce Defendant's offense level by one level. Combined with the two-level reduction applied under U.S.S.G. § 3E1.1(a), Defendant's offense level should be reduced by a total of three levels to properly reflect his acceptance of responsibility.

Respectfully submitted this the 1st day of July, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I, Nathan D. Stump, Assistant United States Attorney, hereby certify that on this the 1st day of July, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically serve a copy upon all counsel of record, including Christine A. Freeman, Esq., counsel for Defendant.

Respectfully submitted,

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